

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BILLY WAYNE RICHMOND,

Petitioner,

v.

JEFFREY UTTECHT,

Respondent.

Case No. C07-5533 RJB/KLS

ORDER GRANTING
RESPONDENT'S MOTION TO
CLARIFY

This habeas corpus petition has been referred to United States Magistrate Judge Karen L. Strombom pursuant to Title 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. Before the Court is Respondent's motion for more definite statement (Dkt. # 19), seeking an order directing Petitioner to clarify the nature of his existing habeas claims or in the alternative, for an order directing Petitioner to file an amended habeas petition. Having carefully reviewed Respondent's motion and Petitioner's original petition, the Court finds that Petitioner should file an amended petition to more clearly state the nature of his habeas claims.

I. DISCUSSION

Mr. Richmond identifies the following as Ground Two of his habeas petition:

The Indeterminate Sentence Review Board Chairwoman Julliett Arratt, (sic) DOC. intentionally gave Mr. Richmond, Billy Wayne an illegal sentence all because she

1 can?

2 (Dkt. # 6, p. 5).

3 Respondent states that as best as he can determine, neither Mr. Richmond's habeas petition
4 nor his supporting memorandum appear to list any other discrete grounds for relief. Respondent
5 requests that this Court order that Mr. Richmond either clarify precisely what grounds for relief he
6 is alleging in his habeas petition, as well as the supporting facts as to that claim, or, in the
7 alternative, to file an amended habeas petition which sets out with greater clarity and specificity the
8 grounds for relief and supporting facts for those grounds, including the exact date of the ISRB's
9 decision which he now challenges.

10 The Court agrees that Respondent should not be left to speculate as to the nature of Mr.
11 Richmond's claims.

12 Accordingly, it is **ORDERED**:

13 (1) Respondent's motion to clarify (Dkt. # 19) is **GRANTED**;

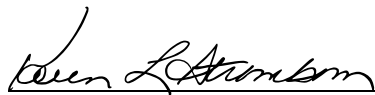
14 (2) Petitioner is directed to file an Amended Petition for Writ of Habeas Corpus. To
15 assist Petitioner, the Clerk of the Court shall send Petitioner the appropriate form.
16 Petitioner is instructed to state concisely each ground on which he claims that he is
17 being held unlawfully. Petitioner should summarize briefly the facts supporting each
18 ground, including dates of any decisions by the Indeterminate Sentence Review
19 Board, and the relief Petitioner seeks.

20 (2) Petitioner shall submit his Amended Petition to the Court and to counsel for
21 Respondent **on or before April 25, 2008**;

22 (3) Respondent's Answer to Mr. Richmond's habeas petition shall be extended;
23 Respondent shall file his response to Mr. Richmond's habeas petition and written
24 clarification **on or before May 30, 2008**;

1 (4) The Court Clerk is directed to send a copy of this Order to Petitioner and to note this
2 matter for the Court's **April 25, 2008** calendar.

3
4 DATED this 31st day of March, 2008.

5
6 

7 Karen L. Strombom
8 United States Magistrate Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28